

1 BILL NO. R-79- 09-15

2
3 RESOLUTION NO. R- 57-79

4
5 A RESOLUTION authorizing payment of medical
6 expenses of Keith Daniel Murray, former
7 policeman of the City of Fort Wayne, injured
8 in the line of duty on July 18, 1975.

9 WHEREAS, Keith Daniel Murray was injured in the line
10 of duty the 18th day of July, 1975, while employed by the City
11 of Fort Wayne as a policeman; and

12 WHEREAS, his injury in the line of duty was acknow-
13 ledged by a letter written by the Chief of Police of the City
14 of Fort Wayne the 11th day of May, 1977, a copy of which letter
15 is attached to this Resolution; and

16 WHEREAS, Keith Daniel Murray was placed on disability
17 retirement status on the 18th day of June, 1977; and

18 WHEREAS, Indiana Code §19-1-13-1 directs any city
19 which maintains a police department to pay for the care of any
20 policeman who suffers an injury while performing his duty, and
21 to provide for such policeman's medical and surgical care,
22 medicines, laboratory, curative and palliative agents and means,
23 and X-ray, diagnostic and therapeutic service, during the
24 recovery of any such policeman from any injury; and provide
25 hospital and special nursing care for any policeman if the phy-
26 sician or surgeon in charge deems such hospital care and a
27 special nurse necessary, and for the best interest in the aid
28 of the recovery of any such policeman, and

29 WHEREAS, Indiana Code §19-1-13-2 states any city
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1 maintaining a paid police department pay for the medical ex-
2 penses as set out aforesaid for any policeman injured in the
3 line of duty from the general fund; and

4 WHEREAS, on the 18th day of July, 1975, and at all
5 times since that date the City of Fort Wayne has maintained a
6 paid police department and, therefore, governed by the mandates
7 of Indiana Code §19-1-13-1 and §19-1-13-2; and

8 WHEREAS, the medical insurance in force the 18th day
9 of July, 1975, carried by the City of Fort Wayne, did not pay
10 for all of the medical, pharmaceutical, and hospital expenses
11 incurred by Keith Daniel Murray as a result of his injury the
12 18th day of July, 1975; and

13 WHEREAS, as a result of his injuries sustained the
14 18th day of July, 1975, Keith Daniel Murray is fully disabled
15 and unable to obtain gainful employment and medical insurance;
16 and

17 WHEREAS, Keith Daniel Murray, in addition to the un-
18 paid medical expenses not otherwise paid by the medical insurance
19 carrier by the City of Fort Wayne, has need for continued medi-
20 cation, doctor's expenses, and immediate need for further
21 hospitalization and surgery; and

22 WHEREAS, more than one year last past request was made
23 of the Honorable Robert Armstrong to follow the mandates of
24 Indiana Code §19-1-13-1 and §19-1-13-2, without an affirmative
25 reply from either the Mayor or the Legal Department of the City
26 of Fort Wayne; and

27 WHEREAS, on the 11th day of September, 1979, a letter
28 was delivered to the office of the Mayor requesting written
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1 acknowledgement of the obligations of the City of Fort Wayne
2 to pay the medical expenses of Keith Daniel Murray, and further
3 advising the Mayor the intention to introduce a Resolution of
4 this nature, and further informing the Mayor on behalf of Keith
5 Daniel Murray, by his attorney, of his intention to file legal
6 action to enforce the claim of Keith Daniel Murray for payment
7 of his medical expenses, and the Mayor did not reply affirma-
8 tively; and

9 WHEREAS, the legal obligations proposed by the afore-
10 said statutes as well as the strong moral obligations to Keith
11 Daniel Murray, clearly dictate that his medical care be paid
12 by the City of Fort Wayne.

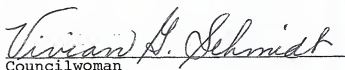
13 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
14 OF THE CITY OF FORT WAYNE, INDIANA:

15 SECTION 1. That the Controller of the City of Fort
16 Wayne be and is hereby authorized to pay out of the General
17 Fund of the City of Fort Wayne all expenses for medical, medical
18 care, surgical care, medicines, laboratory expenses, X-ray ex-
19 penses, diagnostic expenses, therapeutic services, pharmaceuti-
20 cals and drugs, hospital expenses, physician expenses and nursing
21 expenses incurred by Keith Daniel Murray as a result of his
22 injuries sustained in the line of duty the 18th day of July,
23 1975, which said expenses have not been paid by any medical or
24 hospitalization insurance carried by the City of Fort Wayne the
25 18th day of July, 1975, which insurance Keith Daniel
26 Murray was a beneficiary.

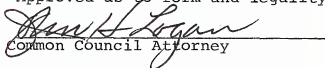
27 SECTION 2. That the Controller of the City of Fort
28 Wayne be and is hereby authorized to pay for all future expenses
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1 for medical, medical care, surgical care, medicines, laboratory
2 expenses, X-ray expenses, diagnostic expenses, therapeutic ser-
3 vices, pharmaceuticals and drugs, hospital expenses, physician
4 expenses and nursing expenses incurred by Keith Daniel Murray
5 as a result of his injuries sustained in the line of duty the
6 18th day of July, 1975.

7 SECTION 3. That this Resolution shall be effective
8 upon passage and approval by the Mayor.
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11 
12 Councilwoman
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18 Approved as to form and legality

19 
20 Common Council Attorney
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23 APPROVED AS TO
24 FORM & LEGALITY

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26 William N. Salin, City Attorney
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Read the first time in full and on motion by V. Schmidt, seconded by

Script, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 9-25-79

Charles W. Winters
CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Stue, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	<u>1</u>		
<u>BURNS</u>	<u>X</u>				
<u>HINGA</u>	<u>X</u>				
<u>HUNTER</u>	<u>X</u>				
<u>MOSES</u>	<u>X</u>				
<u>NUCKOLS</u>			<u>X</u>		
<u>SCHMIDT, D.</u>	<u>X</u>				
<u>SCHMIDT, V.</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>				
<u>TALARICO</u>	<u>X</u>				

DATE: 10-9-79

Charles W. Winters
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 57-79 on the 9th day of October, 1979.
ATTEST: (SEAL)

Charles W. Winters
CITY CLERK

Winfield C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1979, at the hour of 1:30 o'clock 4 M., E.S.T.

Charles W. Winters
CITY CLERK

Approved and signed by me this 19 day of October, 1979, at the hour of 9:15 o'clock _____ M., E.S.T.

Robert L. Hunsch
MAYOR

Bill No. R-79-09-15

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred ~~an Ordinance~~

A RESOLUTION authorizing payment of medical expenses of Keith

Daniel Murray, former policeman of the City of Fort Wayne, injured

in the line of duty on July 18, 1975

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

JAMES S. STIER

JOHN NUCKOLS

DONALD J. SCHMIDT

Vivian G. Schmidt

William T. Hinga

James S. Stier

John Nuckols

10-9-79

CONCURRED IN

DATE 10-9-79 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY CITY BUILDING • ONE MAIN STREET • FORT WAYNE INDIANA 46802

May 11, 1977

Group Life Administrator
Sun Life of Canada
One Sun Life Executive Park
Wellesley Hills, Massachusetts 02181

Re: Keith D. Murray
Certificate No. 449

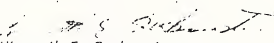
Gentlemen:

Patrolman Keith Murray of the Fort Wayne Police Department was injured in the line of duty on July 18, 1975. He will be placed on disability retirement status as of June 18, 1977.

According to the provisions of Group Policy #2157, Section VII, Limited Waiver of Premium on Disability, Mr. Murray will be covered by the death benefit of \$10,000 until age 65, with no further premium remittance.

If further verification of disability is required, please advise.

Sincerely,


Kenneth E. Buckmaster
Chief of Police

KEB:ek

cc: Payroll Department
Attorney Stanley Levine ✓

